

JULIE CAVANAUGH-BILL (NV Bar No. 11533)  
Cavanaugh-Bill Law Offices, LLC  
Henderson Bank Building  
401 Railroad Street, Suite 307  
Elko, Nevada 89801  
Tel: (775)753-4357  
Email: Julie@cblawoffices.org

CLARE LAKEWOOD (CA Bar No. 298479), *pro hac vice*  
MICHAEL SAUL (CO Bar No. 30143), *pro hac vice*  
Center for Biological Diversity  
1212 Broadway, # 800  
Oakland, CA 94612  
Tel: (510) 844-7121  
Email: clakewood@biologicaldiversity.org

*Attorneys for Plaintiffs*  
*Center for Biological Diversity and Sierra Club*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

CENTER FOR BIOLOGICAL  
DIVERSITY, and SIERRA CLUB

Plaintiffs,

v.

U.S. BUREAU OF LAND  
MANAGEMENT; RYAN ZINKE, in his  
capacity as Secretary of the Department of  
the Interior; and BRIAN STEED, in his  
capacity as Acting Director of the Bureau of  
Land Management,

Defendants.

Case No. 3:17-cv-00553

**ORDER GRANTING  
FURTHER REVISED JOINT CASE  
MANAGEMENT STATEMENT**

1 Having conferred, counsel for the Parties in this case propose the following revised joint case  
2 management statement and schedule. The Parties agree that this case is an action for review on an  
3 administrative record pursuant to the Administrative Procedure Act, 5 U.S.C. § 706 *et seq.*, and  
4 under Fed. R. Civ. P. 26(a)(1)(B)(i), and shall proceed in accordance with Local Rule 16-1(c)(1).  
5 The Parties also agree that discovery is inappropriate in this action and that this case should be  
6 resolved on cross motions for summary judgment.

7 **BRIEFING DEADLINES**

8 The Parties agree to the following deadlines:

- 9 1. Federal Defendants shall lodge, on or before **May 23, 2018**, a supplement to the  
10 administrative record lodged on April 13, 2018, containing only (1) those documents that  
11 Plaintiffs identified in their April 26, 2018 spreadsheet as inadvertently omitted from the  
12 administrative record and that Federal Defendants have determined were submitted during  
13 the comment period for the two lease sales at issue in this litigation, (2) the draft Finding of  
14 No Significant Impact for the June 2017 lease sale, (3) the preliminary Environmental  
15 Assessment released to the public on January 5, 2017, and (4) other documents Federal  
16 Defendants have identified as constituting part of the administrative record. Federal  
17 Defendants will provide the supplement to the administrative record to the Court and  
18 Plaintiffs on flash drives and the documents contained therein will be text searchable;
- 19 2. Plaintiffs shall file any motion challenging the content and scope of the supplement to the  
20 administrative record on or before **June 6, 2018**. Such challenge shall be limited to whether  
21 the supplement includes the documents identified by Plaintiffs in their April 26, 2018  
22 spreadsheet as being inadvertently omitted from the administrative record; the draft Finding  
23 of No Significant Impact for the June 2017 lease sale; and the preliminary Environmental  
24 Assessment released to the public on January 5, 2017.
- 25 3. Plaintiffs shall file their opening brief in support of their summary judgment motion, on or  
26 before **June 22, 2018**, not to exceed 40 pages;
- 27 4. Federal Defendants shall file their cross-motion for summary judgment and combined  
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1 response brief in opposition to Plaintiffs' motion for summary judgment on or before **July**  
2 **23, 2018**, not to exceed 40 pages;

3 5. Plaintiffs shall file their reply in support of their motion for summary judgment and  
4 opposition to Federal Defendants' cross-motion for summary judgment on or before **August**  
5 **13, 2018**, not to exceed 30 pages;

6 6. Federal Defendants shall file their reply in support of their cross-motion for summary  
7 judgment on or before **September 3, 2018**, not to exceed 30 pages;

8 7. Plaintiffs do not consent to the case being resolved by a magistrate judge.

9  
10 DATED: May 14, 2018

Respectfully submitted,

11  
12 /s/ Julie Cavanaugh-Bill

13 JULIE CAVANAUGH-BILL (NV Bar No. 11533)  
14 Cavanaugh-Bill Law Offices, LLC  
15 Henderson Bank Building  
16 401 Railroad Street, Suite 307  
17 Elko, Nevada 89801  
18 Tel: (775)753-4357  
19 Email: Julie@cblawoffices.org

20 /s/ Clare Lakewood

21 CLARE LAKEWOOD (CA Bar No. 298479),  
22 *pro hac vice*  
23 MICHAEL SAUL (CO Bar No. 30143),  
24 *pro hac vice*  
25 Center for Biological Diversity  
26 1212 Broadway, Suite 800  
27 Oakland, CA 94612  
28 Phone: (510) 844-7121  
Facsimile: (510) 844-7150  
Email: clakewood@biologicaldiversity.org  
msaul@biologicaldiversity.org

*Attorneys for Plaintiffs Center for Biological  
Diversity and Sierra Club*

1  
2 STEVEN W. MYHRE  
3 Acting United States Attorney  
4 District of Nevada  
5 HOLLY A. VANCE  
6 Assistant United States Attorney  
7 JEFFREY H. WOOD  
8 Acting Assistant Attorney General

9 /s/ Michelle-Ann C. Williams

10 MICHELLE-ANN C. WILLIAMS  
11 Trial Attorney (MD Bar)  
12 U.S. Department of Justice  
13 Environment & Natural Resources Division  
14 Natural Resources Section  
15 Ben Franklin Station, P.O. Box 7611  
16 Washington, D.C. 20044-7611  
17 Telephone: (202) 305-0420  
18 Fax: (202) 305-0506  
19 Email: michelle-ann.williams@usdoj.gov

20 *Attorneys for Federal Defendants*

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28 **IT IS SO ORDERED.**

DATED: May 23, 2018.

Walter G. Cobb  
UNITED STATES MAGISTRATE JUDGE